

EXHIBIT 12

1 James C. Yoon (SBN 177155)
2 jyoon@wsgr.com
3 WILSON SONSINI GOODRICH & ROSATI P.C.
4 650 Page Mill Road
5 Palo Alto, CA 94304
6 Telephone: 650-493-9300
7 Facsimile: 650-565-5100

8 Neil N. Desai (SBN 286405)
9 ndesai@wsgr.com
10 WILSON SONSINI GOODRICH & ROSATI P.C.
11 633 West Fifth Street, Suite 1550
12 Los Angeles, CA 90071
13 Telephone: 323-210-2900
14 Facsimile: 866-974-7329

15 *Attorneys for Defendants*
16 Rocateq USA, LLC and Rocateq International B.V.

17 UNITED STATES DISTRICT COURT
18 CENTRAL DISTRICT OF CALIFORNIA

19 GATEKEEPER SYSTEMS, INC., a
20 Delaware corporation

21 Plaintiff,

22 v.

23 ROCATEQ USA, LLC; and
24 ROCATEQ INTERNATIONAL B.V.,

25 Defendants.

Case No. 8:22-cv-2092-FWS-KES

**DEFENDANTS' OBJECTIONS AND
RESPONSES TO PLAINTIFF'S
FIRST SET OF REQUESTS FOR
PRODUCTION (NOS. 1-32)**

26 **PROPOUNDING PARTY:** Plaintiff Gatekeeper Systems, Inc.

27 **RESPONDING PARTY:** Defendants Rocateq USA, LLC and Rocateq
28 International B.V.

SET: ONE

1 Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, and the
2 applicable Local Rules of the United States District Court for the Central District of
3 California, Defendants Rocateq USA, LLC and Rocateq International B.V.
4 (collectively, “Rocateq”) hereby objects and responds to Plaintiff Gatekeeper
5 Systems, Inc.’s (“Gatekeeper”) First Set of Requests for Production of Documents
6 (Nos. 1-32).

7 These objections and responses represent Rocateq’s reasonable efforts to
8 provide the information requested based upon information in its possession,
9 custody, or control, and based on its current knowledge and understanding, as well
10 as the understanding of each request. Rocateq reserves all rights to supplement,
11 revise, and/or amend these responses should additional information become
12 available through the discovery process or by other means. Rocateq also reserves
13 the right to produce or use any information or documents that are discovered after
14 serving these responses in support of or in opposition to any motion, in depositions,
15 or in hearings. In responding to Gatekeeper’s First Set of Requests, Rocateq does
16 not waive any objection on the grounds of privilege, confidentiality, competency,
17 relevance, materiality, authenticity, admissibility of the information contained in
18 these responses, or any other objection. Where Rocateq states that it will produce
19 documents, it will do so subject to the entry of an appropriate protective order and
20 only if responsive documents are found after a reasonable search. Rocateq also
21 objects to the production of any privileged information.

22 **SPECIFIC OBJECTIONS AND RESPONSES**

23 **DOCUMENT REQUEST NO. 1:**

24 All documents that discuss the manufacturing, operation, and/or functionality
25 of Rocateq’s Check Out Security system, including, but not limited to, technical
26 manuals, specifications, configuration guides, installation guides, schematic
27 diagrams, drawings, layouts, and operations manuals.

1 **RESPONSE TO DOCUMENT REQUEST NO. 1:**

2 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
3 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
4 objects to this request to the extent it calls for documents protected by the attorney-
5 client privilege, attorney work product doctrine, or other applicable privilege.
6 Rocateq objects to this request because it seeks information about Rocateq's
7 Checkout Security system, which Gatekeeper accuses only against patents that it has
8 asserted in a parallel ITC investigation and that are thus subject to a stay pursuant to
9 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28 U.S.C. § 1659,
10 which Gatekeeper has not disputed that Rocateq is entitled to.

11 Subject to its objections, scheduling order and a stay in this case, Rocateq will
12 produce documents technical product information sufficient to describe the design
13 and operation for accused products in the United States.

14 **DOCUMENT REQUEST NO. 2:**

15 All documents that discuss the manufacturing, operation, and/or functionality
16 of Rocateq's Cart Security system, including, but not limited to, technical manuals,
17 specifications, configuration guides, installation guides, schematic diagrams,
18 drawings, layouts, and operations manuals.

19 **RESPONSE DOCUMENT REQUEST NO. 2:**

20 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
21 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
22 objects to this request to the extent it calls for documents protected by the attorney-
23 client privilege, attorney work product doctrine, or other applicable privilege.
24 Rocateq objects to this request because it seeks information about Rocateq's Cart
25 Security system, which Gatekeeper accuses against patents that Rocateq will ask the
26 Court to stay under the Court's discretionary power.

27 Subject to its objections, scheduling order and a stay in this case, Rocateq will
28 produce documents reflecting technical product information sufficient to describe the

1 design and operation for accused products in the United States.

2 **DOCUMENT REQUEST NO. 3:**

3 All documents that discuss Rocateq Related Services, including, but not
4 limited to, user manuals, product descriptions, service descriptions, statements of
5 work, specifications, configuration guides, installation guides, and operations
6 manuals.

7 **RESPONSE TO DOCUMENT REQUEST NO. 3:**

8 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
9 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
10 objects to this request as vague, ambiguous, and hence overly broad and unduly
11 burdensome as to the definition of “Rocateq Related Services” because that definition
12 purports to cover products and services unrelated to any claim or defense at issue.
13 Rocateq objects to this request to the extent it calls for documents protected by the
14 attorney-client privilege, attorney work product doctrine, or other applicable
15 privilege. Rocateq objects to this request because it seeks information related to
16 Rocateq’s Checkout Security system, which Gatekeeper accuses only against patents
17 that it has asserted in a parallel ITC investigation and that are thus subject to a stay
18 pursuant to 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28
19 U.S.C. § 1659, which Gatekeeper has not disputed that Rocateq is entitled to.
20 Rocateq also objects to this request because it seeks information related to Rocateq’s
21 Cart Security system, which Gatekeeper accuses against patents that Rocateq will ask
22 the Court to stay under the Court’s discretionary power.

23 Subject to its objections, scheduling order and a stay in this case, Rocateq will
24 produce documents reflecting technical product information sufficient to describe the
25 design and operation for accused products in the United States.

26 **DOCUMENT REQUEST NO. 4:**

27 Documents sufficient to identify the make and model of every piece of
28 equipment and/or component that participates in Rocateq’s Check Out Security

1 system.

2 **RESPONSE TO DOCUMENT REQUEST NO. 4:**

3 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
4 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
5 objects to this request as vague and ambiguous as to the phrase “every piece of
6 equipment and/or component that participates in.” Rocateq objects to this request
7 because it seeks information about Rocateq’s Checkout Security system, which
8 Gatekeeper accuses only against patents that it has asserted in a parallel ITC
9 investigation and that are thus subject to a stay pursuant to 28 U.S.C. § 1659. Rocateq
10 intends to move for a stay pursuant to 28 U.S.C. § 1659, which Gatekeeper has not
11 disputed that Rocateq is entitled to.

12 Subject to its objections, scheduling order and a stay in this case, Rocateq will
13 produce documents reflecting technical product information sufficient to identify the
14 components in the accused products in the United States.

15 **DOCUMENT REQUEST NO. 5:**

16 Documents sufficient to identify the make and model of every piece of
17 equipment and/or component that participates in Rocateq’s Cart Security system.

18 **RESPONSE TO DOCUMENT REQUEST NO. 5:**

19 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
20 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
21 objects to this request because it seeks information about Rocateq’s Cart Security
22 system, which Gatekeeper accuses against patents that Rocateq will ask the Court to
23 stay under the Court’s discretionary power.

24 Subject to its objections, scheduling order and a stay in this case, Rocateq will
25 produce documents reflecting technical product information sufficient to identify the
26 components in the accused products in the United States.

27 **DOCUMENT REQUEST NO. 6:**

28 Documents sufficient to identify all versions/revisions of source code used in

1 the Rocateq Check Out Security System on or after November 17, 2016.

2 **RESPONSE TO DOCUMENT REQUEST NO. 6:**

3 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
4 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
5 objects to this request to the extent it calls for documents protected by the attorney-
6 client privilege, attorney work product doctrine, or other applicable privilege.
7 Rocateq objects to this request because it seeks information about Rocateq's
8 Checkout Security system, which Gatekeeper accuses only against patents that it has
9 asserted in a parallel ITC investigation and that are thus subject to a stay pursuant to
10 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28 U.S.C. § 1659,
11 which Gatekeeper has not disputed that Rocateq is entitled to.

12 Subject to its objections, scheduling order and a stay in this case, and the
13 provision of a court-ordered protective order, Rocateq will produce documents
14 sufficient to identify source code used in the accused products in the United States.

15 **DOCUMENT REQUEST NO. 7:**

16 Documents sufficient to identify all versions/revisions of source code used in
17 the Rocateq Cart Security System on or after December 19, 2017.

18 **RESPONSE TO DOCUMENT REQUEST NO. 7:**

19 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
20 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
21 objects to this request to the extent it calls for documents protected by the attorney-
22 client privilege, attorney work product doctrine, or other applicable privilege.
23 Rocateq objects to this request because it seeks information about Rocateq's Cart
24 Security system, which Gatekeeper accuses against patents that Rocateq will ask the
25 Court to stay under the Court's discretionary power.

26 Subject to its objections, scheduling order and a stay in this case, and the
27 provision of a court-ordered protective order, Rocateq will produce documents
28 sufficient to identify source code used in the accused products in the United States.

DOCUMENT REQUEST NO. 8:

Each version/revision of source code identified in Request No. 6.

RESPONSE TO DOCUMENT REQUEST NO. 8:

Rocateq objects to the extent that Gatekeeper seeks to impose disclosure obligations exceeding those required by the Federal Rules and Local Rules. Rocateq objects to this request to the extent it calls for documents protected by the attorney-client privilege, attorney work product doctrine, or other applicable privilege. Rocateq objects to this request because it seeks information about Rocateq's Checkout Security system, which Gatekeeper accuses only against patents that it has asserted in a parallel ITC investigation and that are thus subject to a stay pursuant to 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28 U.S.C. § 1659, which Gatekeeper has not disputed that Rocateq is entitled to.

Subject to its objections, scheduling order and a stay in this case, and the provision of a court-ordered protective order, Rocateq will produce documents sufficient to identify source code used in the accused products in the United States.

DOCUMENT REQUEST NO. 9:

Each version/revision of source code identified in Request No. 7.

RESPONSE TO DOCUMENT REQUEST NO. 9:

Rocateq objects to the extent that Gatekeeper seeks to impose disclosure obligations exceeding those required by the Federal Rules and Local Rules. Rocateq objects to this request to the extent it calls for documents protected by the attorney-client privilege, attorney work product doctrine, or other applicable privilege. Rocateq objects to this request because it seeks information about Rocateq's Cart Security system, which Gatekeeper accuses against patents that Rocateq will ask the Court to stay under the Court's discretionary power.

Subject to its objections, scheduling order and a stay in this case, and the provision of a court-ordered protective order, Rocateq will produce documents sufficient to identify source code used in the accused products in the United States.

1 **DOCUMENT REQUEST NO. 10:**

2 Documents sufficient to identify every Rocateq Related Service.

3 **RESPONSE TO DOCUMENT REQUEST NO. 10:**

4 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
5 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
6 objects to this request as vague and ambiguous, and hence overly broad and unduly
7 burdensome as to the definition of “Rocateq Related Services” because that definition
8 purports to cover products and services unrelated to any claim or defense at issue.
9 Rocateq objects to this request to the extent it calls for documents protected by the
10 attorney-client privilege, attorney work product doctrine, or other applicable
11 privilege. Rocateq objects to this request because it seeks information related to
12 Rocateq’s Checkout Security system, which Gatekeeper accuses only against patents
13 that it has asserted in a parallel ITC investigation and that are thus subject to a stay
14 pursuant to 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28
15 U.S.C. § 1659, which Gatekeeper has not disputed that Rocateq is entitled to.
16 Rocateq also objects to this request because it seeks information related to Rocateq’s
17 Cart Security system, which Gatekeeper accuses against patents that Rocateq will ask
18 the Court to stay under the Court’s discretionary power.

19 Subject to its objections, scheduling order and a stay in this case, Rocateq will
20 produce documents reflecting technical product information sufficient to identify the
21 components in the accused products in the United States.

22 **DOCUMENT REQUEST NO. 11:**

23 All contracts and/or purchase orders between Rocateq and its customers
24 relating to the Accused Products and Rocateq Related Services in effect as of
25 November 17, 2016 or after, including any related product specifications and
26 maintenance agreements.

RESPONSE TO DOCUMENT REQUEST NO. 11:

Rocateq objects to the extent that Gatekeeper seeks to impose disclosure obligations exceeding those required by the Federal Rules and Local Rules. Rocateq objects to this request as vague and ambiguous, and overly broad and unduly burdensome as to the definition of “Rocateq Related Services” because that definition purports to cover products and services unrelated to any claim or defense at issue. Rocateq objects to this request to the extent it calls for documents protected by the attorney-client privilege, attorney work product doctrine, or other applicable privilege. Rocateq objects to this request because it seeks information related to Rocateq’s Checkout Security system, which Gatekeeper accuses only against patents that it has asserted in a parallel ITC investigation and that are thus subject to a stay pursuant to 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28 U.S.C. § 1659, which Gatekeeper has not disputed that Rocateq is entitled to. Rocateq also objects to this request because it seeks information related to Rocateq’s Cart Security system, which Gatekeeper accuses against patents that Rocateq will ask the Court to stay under the Court’s discretionary power.

Subject to its objections, scheduling order and a stay in this case, Rocateq will produce documents reflecting sales information for accused products in the United States. At the appropriate time, Rocateq will meet and confer with Gatekeeper regarding the format and nature of sales and importation information relating to the accused products and the time period associated with such sales and importation information.

DOCUMENT REQUEST NO. 12:

All contracts and/or purchase orders between Rocateq and its suppliers relating to the Accused Products and Rocateq Related Services in effect as of November 17, 2016 or after, including those related to the chips, processors, circuitry, and/or transceivers used in the Accused Products.

RESPONSE TO DOCUMENT REQUEST NO. 12:

Rocateq objects to the extent that Gatekeeper seeks to impose disclosure obligations exceeding those required by the Federal Rules and Local Rules. Rocateq objects to this request as vague and ambiguous, and overly broad and unduly burdensome as to the definition of “Rocateq Related Services” because that definition purports to cover products and services unrelated to any claim or defense at issue. Rocateq objects to this request to the extent it calls for documents protected by the attorney-client privilege, attorney work product doctrine, or other applicable privilege. Rocateq objects to this request because it seeks information related to Rocateq’s Checkout Security system, which Gatekeeper accuses only against patents that it has asserted in a parallel ITC investigation and that are thus subject to a stay pursuant to 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28 U.S.C. § 1659, which Gatekeeper has not disputed that Rocateq is entitled to. Rocateq also objects to this request because it seeks information related to Rocateq’s Cart Security system, which Gatekeeper accuses against patents that Rocateq will ask the Court to stay under the Court’s discretionary power.

Subject to its objections, scheduling order and a stay in this case, Rocateq will produce documents reflecting information about Rocateq’s purchase of components used in the accused products in the United States.

DOCUMENT REQUEST NO. 13:

All marketing documents, sales documents, studies, surveys, and competitive comparisons discussing the benefits, importance, or value of the Accused Products or Rocateq Related Services.

RESPONSE TO DOCUMENT REQUEST NO. 13:

Rocateq objects to the extent that Gatekeeper seeks to impose disclosure obligations exceeding those required by the Federal Rules and Local Rules. Rocateq objects to this request as vague and ambiguous, and overly broad and unduly burdensome as to the definition of “Rocateq Related Services” because that definition

purports to cover products and services unrelated to any claim or defense at issue. Rocateq objects to this request to the extent it calls for documents protected by the attorney-client privilege, attorney work product doctrine, or other applicable privilege. Rocateq objects to this request because it seeks information related to Rocateq's Checkout Security system, which Gatekeeper accuses only against patents that it has asserted in a parallel ITC investigation and that are thus subject to a stay pursuant to 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28 U.S.C. § 1659, which Gatekeeper has not disputed that Rocateq is entitled to. Rocateq also objects to this request because it seeks information related to Rocateq's Cart Security system, which Gatekeeper accuses against patents that Rocateq will ask the Court to stay under the Court's discretionary power.

Subject to its objections, scheduling order and a stay in this case, Rocateq will produce documents reflecting marketing, sales, surveys, and competitive comparisons regarding the accused products in the United States. At the appropriate time, Rocateq will meet and confer with Gatekeeper regarding the format and nature of sales and importation information relating to the accused products and the time period associated with such sales and importation information.

DOCUMENT REQUEST NO. 14:

Rocateq's annual and quarterly consolidated income statements since January 1, 2016.

RESPONSE TO DOCUMENT REQUEST NO. 14:

Rocateq objects to the extent that Gatekeeper seeks to impose disclosure obligations exceeding those required by the Federal Rules and Local Rules. Rocateq objects to this request to the extent it calls for documents protected by the attorney-client privilege, attorney work product doctrine, or other applicable privilege. Rocateq objects to this request because it seeks information related to Rocateq's Checkout Security system, which Gatekeeper accuses only against patents that it has asserted in a parallel ITC investigation and that are thus subject to a stay pursuant to

1 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28 U.S.C. § 1659,
2 which Gatekeeper has not disputed that Rocateq is entitled to. Rocateq also objects
3 to this request because it seeks information related to Rocateq's Cart Security system,
4 which Gatekeeper accuses against patents that Rocateq will ask the Court to stay
5 under the Court's discretionary power.

6 Subject to its objections, scheduling order and a stay in this case, Rocateq will
7 produce documents reflecting sales information for accused products in the United
8 States. At the appropriate time, Rocateq will meet and confer with Gatekeeper
9 regarding the format and nature of sales and importation information relating to the
10 accused products and the time period associated with such sales and importation
11 information.

12 **DOCUMENT REQUEST NO. 15:**

13 Documents sufficient to show monthly financial information associated with
14 providing each of the Accused Products and Rocateq Related Services in the United
15 States since November 17, 2016, including (1) identification of the customer, (2)
16 product or service sold, (3) revenues, (4) fixed and variable costs, (5) profit margins,
17 and (6) the sales price per unit of each piece of equipment or Rocateq Related Service.

18 **RESPONSE TO DOCUMENT REQUEST NO. 15:**

19 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
20 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
21 objects to this request as vague and ambiguous, and overly broad and unduly
22 burdensome as to the definition of "Rocateq Related Services" because that definition
23 purports to cover products and services unrelated to any claim or defense at issue.
24 Rocateq objects to this request to the extent it calls for documents protected by the
25 attorney-client privilege, attorney work product doctrine, or other applicable
26 privilege. Rocateq objects to this request because it seeks information related to
27 Rocateq's Checkout Security system, which Gatekeeper accuses only against patents
28 that it has asserted in a parallel ITC investigation and that are thus subject to a stay

1 pursuant to 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28
2 U.S.C. § 1659, which Gatekeeper has not disputed that Rocateq is entitled to.
3 Rocateq also objects to this request because it seeks information related to Rocateq's
4 Cart Security system, which Gatekeeper accuses against patents that Rocateq will ask
5 the Court to stay under the Court's discretionary power.

6 Subject to its objections, scheduling order and a stay in this case, Rocateq will
7 produce documents reflecting sales information for accused products in the United
8 States. At the appropriate time, Rocateq will meet and confer with Gatekeeper
9 regarding the format and nature of sales and importation information relating to the
10 accused products and the time period associated with such sales and importation
11 information.

12 **DOCUMENT REQUEST NO. 16:**

13 Documents sufficient to show monthly financial information associated with
14 providing each of the Accused Products and Rocateq Related Services in the United
15 States since November 17, 2016, including (1) identification of the customer, (2)
16 product or service sold, (3) revenues, (4) fixed and variable costs, (5) profit margins,
17 and (6) the sales price per unit of each piece of equipment and/or component.

18 **RESPONSE TO DOCUMENT REQUEST NO. 16:**

19 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
20 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
21 objects to this request as overly broad and unduly burdensome as to the definition of
22 "Rocateq Related Services" because that definition purports to cover products and
23 services unrelated to any claim or defense at issue. Rocateq objects to this request to
24 the extent it calls for documents protected by the attorney-client privilege, attorney
25 work product doctrine, or other applicable privilege. Rocateq objects to this request
26 because it seeks information related to Rocateq's Checkout Security system, which
27 Gatekeeper accuses only against patents that it has asserted in a parallel ITC
28

1 investigation and that are thus subject to a stay pursuant to 28 U.S.C. § 1659. Rocateq
2 intends to move for a stay pursuant to 28 U.S.C. § 1659, which Gatekeeper has not
3 disputed that Rocateq is entitled to. Rocateq also objects to this request because it
4 seeks information related to Rocateq's Cart Security system, which Gatekeeper
5 accuses against patents that Rocateq will ask the Court to stay under the Court's
6 discretionary power. Rocateq is willing to meet and confer about this request.

7 Subject to its objections, scheduling order and a stay in this case, Rocateq will
8 produce documents reflecting sales information for accused products in the United
9 States. At the appropriate time, Rocateq will meet and confer with Gatekeeper
10 regarding the format and nature of sales and importation information relating to the
11 accused products and the time period associated with such sales and importation
12 information.

13 **DOCUMENT REQUEST NO. 17:**

14 Documents sufficient to show Rocateq's pricing plans and pricing options for
15 the Accused Products since November 17, 2016.

16 **RESPONSE TO DOCUMENT REQUEST NO. 17:**

17 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
18 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
19 objects to this request to the extent it calls for documents protected by the attorney-
20 client privilege, attorney work product doctrine, or other applicable privilege.
21 Rocateq objects to this request because it seeks information related to Rocateq's
22 Checkout Security system, which Gatekeeper accuses only against patents that it has
23 asserted in a parallel ITC investigation and that are thus subject to a stay pursuant to
24 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28 U.S.C. § 1659,
25 which Gatekeeper has not disputed that Rocateq is entitled to. Rocateq also objects
26 to this request because it seeks information related to Rocateq's Cart Security system,
27 which Gatekeeper accuses against patents that Rocateq will ask the Court to stay
28 under the Court's discretionary power.

1 Subject to its objections, scheduling order and a stay in this case, Rocateq will
2 produce documents reflecting sales information for accused products in the United
3 States. At the appropriate time, Rocateq will meet and confer with Gatekeeper
4 regarding the format and nature of sales and importation information relating to the
5 accused products and the time period associated with such sales and importation
6 information.

7 **DOCUMENT REQUEST NO. 18:**

8 Documents sufficient to show Rocateq's pricing plans and pricing options for
9 all Rocateq Related Services since November 17, 2016.

10 **RESPONSE TO DOCUMENT REQUEST NO. 18:**

11 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
12 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
13 objects to this request as vague and ambiguous, and overly broad and unduly
14 burdensome as to the definition of "Rocateq Related Services" because that definition
15 purports to cover products and services unrelated to any claim or defense at issue.
16 Rocateq objects to this request to the extent it calls for documents protected by the
17 attorney-client privilege, attorney work product doctrine, or other applicable
18 privilege. Rocateq objects to this request because it seeks information related to
19 Rocateq's Checkout Security system, which Gatekeeper accuses only against patents
20 that it has asserted in a parallel ITC investigation and that are thus subject to a stay
21 pursuant to 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28
22 U.S.C. § 1659, which Gatekeeper has not disputed that Rocateq is entitled to.
23 Rocateq also objects to this request because it seeks information related to Rocateq's
24 Cart Security system, which Gatekeeper accuses against patents that Rocateq will ask
25 the Court to stay under the Court's discretionary power.

26 Subject to its objections, scheduling order and a stay in this case, Rocateq will
27 produce documents reflecting sales information for accused products in the United
28 States. At the appropriate time, Rocateq will meet and confer with Gatekeeper

1 regarding the format and nature of sales and importation information relating to the
2 accused products and the time period associated with such sales and importation
3 information.

4 **DOCUMENT REQUEST NO. 19:**

5 Documents sufficient to show the identities of all Rocateq customers of the
6 Accused Products since November 17, 2016, including the quantity of each piece of
7 equipment and/or component purchased.

8 **RESPONSE TO DOCUMENT REQUEST NO. 19:**

9 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
10 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
11 objects to this request to the extent it calls for documents protected by the attorney-
12 client privilege, attorney work product doctrine, or other applicable privilege.
13 Rocateq objects to this request because it seeks information related to Rocateq's
14 Checkout Security system, which Gatekeeper accuses only against patents that it has
15 asserted in a parallel ITC investigation and that are thus subject to a stay pursuant to
16 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28 U.S.C. § 1659,
17 which Gatekeeper has not disputed that Rocateq is entitled to. Rocateq also objects
18 to this request because it seeks information related to Rocateq's Cart Security system,
19 which Gatekeeper accuses against patents that Rocateq will ask the Court to stay
20 under the Court's discretionary power.

21 Subject to its objections, scheduling order and a stay in this case, Rocateq will
22 produce documents reflecting sales information for accused products in the United
23 States. At the appropriate time, Rocateq will meet and confer with Gatekeeper
24 regarding the format and nature of sales and importation information relating to the
25 accused products and the time period associated with such sales and importation
26 information.

27 **DOCUMENT REQUEST NO. 20:**

28 All inbound and outbound patent license agreements that include, or have been

1 alleged to include, patents relating to shopping cart retention and/or anti-merchandise
2 theft measures.

3 **RESPONSE TO DOCUMENT REQUEST NO. 20:**

4 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
5 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
6 objects to this request to the extent it calls for documents protected by the attorney-
7 client privilege, attorney work product doctrine, or other applicable privilege.
8 Rocateq objects to this request because it seeks information related to Rocateq's
9 Checkout Security system, which Gatekeeper accuses only against patents that it has
10 asserted in a parallel ITC investigation and that are thus subject to a stay pursuant to
11 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28 U.S.C. § 1659,
12 which Gatekeeper has not disputed that Rocateq is entitled to. Rocateq also objects
13 to this request because it seeks information related to Rocateq's Cart Security system,
14 which Gatekeeper accuses against patents that Rocateq will ask the Court to stay
15 under the Court's discretionary power.

16 Subject to its objections, scheduling order and stay in this case, Rocateq will
17 produce licensing agreements relating to the accused products and patents.

18 **DOCUMENT REQUEST NO. 21:**

19 All licenses that Rocateq alleges would have been technically and
20 economically comparable to a license that Rocateq and Gatekeeper would have
21 executed.

22 **RESPONSE TO DOCUMENT REQUEST NO. 21:**

23 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
24 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
25 objects to this request to the extent it calls for documents protected by the attorney-
26 client privilege, attorney work product doctrine, or other applicable privilege.
27 Rocateq objects to this request because it seeks information related to Rocateq's
28 Checkout Security system, which Gatekeeper accuses only against patents that it has

1 asserted in a parallel ITC investigation and that are thus subject to a stay pursuant to
2 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28 U.S.C. § 1659,
3 which Gatekeeper has not disputed that Rocateq is entitled to. Rocateq also objects
4 to this request because it seeks information related to Rocateq's Cart Security system,
5 which Gatekeeper accuses against patents that Rocateq will ask the Court to stay
6 under the Court's discretionary power.

7 Subject to its objections, scheduling order and stay in this case, Rocateq will
8 produce licensing agreements relating to the accused products and patents.

9 **DOCUMENT REQUEST NO. 22:**

10 All documents relating to any competitive analysis with Gatekeeper or other
11 competitors.

12 **RESPONSE TO DOCUMENT REQUEST NO. 22:**

13 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
14 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
15 objects to this request to the extent it calls for documents protected by the attorney-
16 client privilege, attorney work product doctrine, or other applicable privilege.
17 Rocateq objects to this request because it seeks information related to Rocateq's
18 Checkout Security system, which Gatekeeper accuses only against patents that it has
19 asserted in a parallel ITC investigation and that are thus subject to a stay pursuant to
20 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28 U.S.C. § 1659,
21 which Gatekeeper has not disputed that Rocateq is entitled to. Rocateq also objects
22 to this request because it seeks information related to Rocateq's Cart Security system,
23 which Gatekeeper accuses against patents that Rocateq will ask the Court to stay
24 under the Court's discretionary power.

25 Subject to its objections, scheduling order and stay in this case, Rocateq will
26 produce competitive analyses regarding the accused products.

DOCUMENT REQUEST NO. 23:

All documents relating to any one of the Patents-in-Suit or any Related Patent, including all documents that reference or discuss any one of the Patents-in-Suit or any Related Patent.

RESPONSE TO DOCUMENT REQUEST NO. 23:

Rocateq objects to the extent that Gatekeeper seeks to impose disclosure obligations exceeding those required by the Federal Rules and Local Rules. Rocateq objects to this request as calling for documents protected by the attorney-client privilege, attorney work product doctrine, or other applicable privilege. Rocateq objects to this request because it seeks information related patents that are subject to a stay pursuant to 28 U.S.C. § 1659. Rocateq also objects to this request because it seeks information related to patents that Rocateq will ask the Court to stay under the Court's discretionary power. Rocateq is willing to meet and confer about this request.

DOCUMENT REQUEST NO. 24:

All documents relating to Rocateq's Fifth affirmative defense of failure to mark.

RESPONSE TO DOCUMENT REQUEST NO. 24:

Rocateq objects to the extent that Gatekeeper seeks to impose disclosure obligations exceeding those required by the Federal Rules and Local Rules. Rocateq objects to this request to the extent it calls for documents protected by the attorney-client privilege, attorney work product doctrine, or other applicable privilege. Rocateq objects to this request because it seeks information related patents that are subject to a stay pursuant to 28 U.S.C. § 1659. Rocateq also objects to this request because it seeks information related to patents that Rocateq will ask the Court to stay under the Court's discretionary power.

Subject to its objections, scheduling order and stay in this case, Rocateq will produce documents evidencing Gatekeeper's failure to mark, to the extent such

documents exist.

DOCUMENT REQUEST NO. 25:

All documents relating to the capabilities, cost, demand, and availability of any alleged non-infringing alternatives.

RESPONSE TO DOCUMENT REQUEST NO. 25:

Rocateq objects to the extent that Gatekeeper seeks to impose disclosure obligations exceeding those required by the Federal Rules and Local Rules. Rocateq objects to this request to the extent it calls for documents protected by the attorney-client privilege, attorney work product doctrine, or other applicable privilege. Rocateq objects to this request because it seeks information related patents that are subject to a stay pursuant to 28 U.S.C. § 1659. Rocateq also objects to this request because it seeks information related to patents that Rocateq will ask the Court to stay under the Court's discretionary power. Rocateq objects to this request as because Gatekeeper has not provided its infringement contentions and the Court has not issued its claim construction order.

Subject to its objections, the scheduling order and any order regarding a stay, Rocateq is willing to meet and confer about this request.

DOCUMENT REQUEST NO. 26:

All documents submitted by Rocateq to any governmental agency relating to the Accused Products. For example, this request encompasses all documents submitted to the Federal Communications Commission (FCC) by Zhuhai Rocateq Technology Company Ltd.

RESPONSE TO DOCUMENT REQUEST NO. 26:

Rocateq objects to the extent that Gatekeeper seeks to impose disclosure obligations exceeding those required by the Federal Rules and Local Rules. Rocateq objects to this request to the extent it calls for documents protected by the attorney-client privilege, attorney work product doctrine, or other applicable privilege. Rocateq objects to this request because it seeks information related to Rocateq's

1 Checkout Security system, which Gatekeeper accuses only against patents that it has
2 asserted in a parallel ITC investigation and that are thus subject to a stay pursuant to
3 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28 U.S.C. § 1659,
4 which Gatekeeper has not disputed that Rocateq is entitled to. Rocateq also objects
5 to this request because it seeks information related to Rocateq's Cart Security system,
6 which Gatekeeper accuses against patents that Rocateq will ask the Court to stay
7 under the Court's discretionary power.

8 Subject to its objections, scheduling order and stay in this case, Rocateq will
9 produce documents submitted to the FCC relating to the accused products in the U.S.

10 **DOCUMENT REQUEST NO. 27:**

11 Two samples of each piece of equipment and/or component provided to
12 customers as part of the Accused Products (i.e., Rocateq Wheel, Intellibox, and
13 Checkout Transmitter) in its original packaging.

14 **RESPONSE TO DOCUMENT REQUEST NO. 27:**

15 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
16 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
17 objects to this request to the extent it calls for documents protected by the attorney-
18 client privilege, attorney work product doctrine, or other applicable privilege.
19 Rocateq objects to this request because it seeks information related to Rocateq's
20 Checkout Security system, which Gatekeeper accuses only against patents that it has
21 asserted in a parallel ITC investigation and that are thus subject to a stay pursuant to
22 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28 U.S.C. § 1659,
23 which Gatekeeper has not disputed that Rocateq is entitled to. Rocateq also objects
24 to this request because it seeks information related to Rocateq's Cart Security system,
25 which Gatekeeper accuses against patents that Rocateq will ask the Court to stay
26 under the Court's discretionary power.

27 Rocateq is willing to meet and confer about this request.
28

DOCUMENT REQUEST NO. 28:

Organizational charts sufficient to show the names, positions, titles, duties, and reporting relationships of all officers, employees, and other personnel involved in the design, development, operation, manufacture, testing, marketing, or sale of the Accused Products.

RESPONSE TO DOCUMENT REQUEST NO. 28:

Rocateq objects to the extent that Gatekeeper seeks to impose disclosure obligations exceeding those required by the Federal Rules and Local Rules. Rocateq objects to this request to the extent it calls for documents protected by the attorney-client privilege, attorney work product doctrine, or other applicable privilege. Rocateq objects to this request because it seeks information related to Rocateq's Checkout Security system, which Gatekeeper accuses only against patents that it has asserted in a parallel ITC investigation and that are thus subject to a stay pursuant to 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28 U.S.C. § 1659, which Gatekeeper has not disputed that Rocateq is entitled to. Rocateq also objects to this request because it seeks information related to Rocateq's Cart Security system, which Gatekeeper accuses against patents that Rocateq will ask the Court to stay under the Court's discretionary power. Rocateq is willing to meet and confer about this request.

Subject to its objections, scheduling order and stay in this case, Rocateq will produce documents showing employment information for individuals involved in the technical design and development, marketing, and sales of the accused products. At the appropriate time, Rocateq will meet and confer with Gatekeeper regarding the format and nature of sales and importation information relating to the accused products and the time period associated with such sales and importation information.

DOCUMENT REQUEST NO. 29:

All documents relating to Rocateq's first notice or awareness of each of the

1 Patents-in-Suit.

2 **RESPONSE TO DOCUMENT REQUEST NO. 29:**

3 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
4 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
5 objects to this request to the extent it calls for documents protected by the attorney-
6 client privilege, attorney work product doctrine, or other applicable privilege.
7 Rocateq objects to this request because it seeks information related patents that are
8 subject to a stay pursuant to 28 U.S.C. § 1659. Rocateq also objects to this request
9 because it seeks information related to patents that Rocateq will ask the Court to stay
10 under the Court's discretionary power.

11 Subject to its objections, scheduling order and stay in this case, Rocateq will
12 produce documents relating to notice of the asserted patents.

13 **DOCUMENT REQUEST NO. 30:**

14 All documents relating to any attempts to design around or modify the Accused
15 Products to avoid infringement of any one of the Patents-in-Suit.

16 **RESPONSE TO DOCUMENT REQUEST NO. 30:**

17 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
18 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
19 objects to this request to the extent it calls for documents protected by the attorney-
20 client privilege, attorney work product doctrine, or other applicable privilege.
21 Rocateq objects to this request because it seeks information related to Rocateq's
22 Checkout Security system, which Gatekeeper accuses only against patents that it has
23 asserted in a parallel ITC investigation and that are thus subject to a stay pursuant to
24 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28 U.S.C. § 1659,
25 which Gatekeeper has not disputed that Rocateq is entitled to. Rocateq also objects
26 to this request because it seeks information related to Rocateq's Cart Security system,
27 which Gatekeeper accuses against patents that Rocateq will ask the Court to stay
28 under the Court's discretionary power. Rocateq also objects to this request as

1 because Gatekeeper has not provided its infringement contentions and the Court has
2 not issued its claim construction order.

3 Subject to its objections, the scheduling order and any order regarding a stay,
4 Rocateq is willing to meet and confer about this request.

5 **DOCUMENT REQUEST NO. 31:**

6 All documents relating to any analysis or opinions of counsel relating to any
7 one of the Patents-in-Suit or any Related Patent, including, but not limited to,
8 opinions relating to infringement, validity, enforceability, scope, or ownership.

9 **RESPONSE TO DOCUMENT REQUEST NO. 31:**

10 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
11 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
12 objects to this request as calling for documents protected by the attorney-client
13 privilege, attorney work product doctrine, or other applicable privilege. Rocateq
14 objects to this request because it seeks information related patents that are subject to
15 a stay pursuant to 28 U.S.C. § 1659. Rocateq also objects to this request because it
16 seeks information related to patents that Rocateq will ask the Court to stay under the
17 Court's discretionary power. Rocateq has no non-privileged documents to produce.

18 **DOCUMENT REQUEST NO. 32:**

19 Documents sufficient to show, for each Accused Product, the number of
20 products imported into the United States by or on behalf of Rocateq since November
21 17, 2016, including identification of the product or component, dates of importation,
22 and quantity imported.

23 **RESPONSE TO DOCUMENT REQUEST NO. 32:**

24 Rocateq objects to the extent that Gatekeeper seeks to impose disclosure
25 obligations exceeding those required by the Federal Rules and Local Rules. Rocateq
26 objects to this request to the extent it calls for documents protected by the attorney-
27 client privilege, attorney work product doctrine, or other applicable privilege.
28 Rocateq objects to this request because it seeks information related to Rocateq's

1 Checkout Security system, which Gatekeeper accuses only against patents that it has
2 asserted in a parallel ITC investigation and that are thus subject to a stay pursuant to
3 28 U.S.C. § 1659. Rocateq intends to move for a stay pursuant to 28 U.S.C. § 1659,
4 which Gatekeeper has not disputed that Rocateq is entitled to. Rocateq also objects
5 to this request because it seeks information related to Rocateq's Cart Security system,
6 which Gatekeeper accuses against patents that Rocateq will ask the Court to stay
7 under the Court's discretionary power.

8 Subject to its objections, scheduling order and a stay in this case, Rocateq will
9 produce documents reflecting sales information for accused products in the United
10 States. At the appropriate time, Rocateq will meet and confer with Gatekeeper
11 regarding the format and nature of sales and importation information relating to the
12 accused products and the time period associated with such sales and importation
13 information.

14 Dated: April 10, 2023

15 By: /s/ Neil N. Desai

16 James C. Yoon
17 WILSON SONSINI GOODRICH &
18 ROSATI P.C.
19 650 Page Mill Road
20 Palo Alto, CA 94304
21 Telephone: 650-493-9300
22 Facsimile: 650-565-5100

23 Neil N. Desai
24 WILSON SONSINI GOODRICH &
25 ROSATI P.C.
26 633 West Fifth Street, Suite 1550
27 Los Angeles, CA 90071
28 Telephone: 323-210-2900
Facsimile: 866-974-7329

*Attorneys for Defendants
Rocateq USA, LLC
Rocateq International B.V.*

CERTIFICATE OF SERVICE

I, the undersigned hereby certify that a copy of the foregoing document(s) was served on all counsel of record via electronic mail on April 10, 2023.

S. Michael Song (SBN 198656) *Electronic Email*
Charles Hsu (SBN 328798)
DECHERT LLP
3000 El Camino Real
Five Palo Alto Square, #650
Palo Alto, CA 94306
Telephone: 650-813-4813
Email: Michael.song@dechert.com
Charles.hsu@dechert.com

Martin Black (*pro hac vice*)
Judah Bellin (*pro hac vice*)
DECHERT LLP
Cira Centre
2929 Arch Street
Philadelphia, PA 19104
Telephone: 215-994-2664
Email: Martin.black@dechert.com
Judah.bellin@dechert.com

***Counsel for Plaintiff Gatekeeper
Systems, Inc.***

Dated: April 10, 2023

By: /s/ Arlene Apodaca

ARLENE APODACA
Email: aapodaca@wsgr.com